

**PATENT APPLICATION**

**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 2625**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kazutaka SAITOH et al.

Group Art Unit: 2625

Application No.: 10/644,926

Examiner: H. KASSA

Filed: August 21, 2003

Docket No.: 116896

For: IMAGE PROCESSING DEVICE AND AUTOMATIC PRINTING RESTRICTION  
AND CONTROL METHOD AND DOCUMENT RECEPTION CONTROL METHOD

**REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the July 31, 2008 Office Action, reconsideration of the application is respectfully requested in light of the following remarks.

Claims 30-39 are pending in this application. The Office Action, on page 2, rejects claims 30-34 and 36-39 under 35 U.S.C. §103(a) as being unpatentable over JP-A-2002-229916 to Wakasugi (hereinafter "Wakasugi") in view of U.S. Patent No. 6,633,401 to Kojima. The Office Action, on page 12, rejects claim 35 under 35 U.S.C. §103(a) as being unpatentable over Wakasugi and Kojima in further view of U.S. Patent No. 6,922,255 to Tomida. These rejections are respectfully traversed.

Claim 30 recites, among other features, a determining unit that determines whether the received documents received by the facsimile communication unit are those received by the facsimile communication via internet. Claim 31 recites similar features.

With reference to Wakasugi, the Office Action alleges that Wakasugi can reasonably be considered to teach many of the features positively recited in the pending claims. It is conceded that Wakasugi fails to teach a determining unit that determines whether the documents received by the facsimile communication unit are those received by the facsimile communications via internet and an automatic printing restriction unit that stores the received documents and restricts the automatic printing by the automatic printing unit of the received documents when the received documents received by the facsimile communication unit are determined by the determining unit to be those received by the facsimile communications via the internet and, for which the restriction of automatic printing is set by the setting unit. The Office Action relies on Kojima, in its disclosure of an image forming device that saves recording medium when printing communication data, to make up for this shortfall. The Office Action concludes that it would have been obvious to combine Wakasugi with Kojima to provide an image forming device capable of preventing wasting recording medium when forming an image based on data transmitted from a remote device. The analysis of the Office Action fails for at least the following reason.

Wakasugi is directed to a network fax apparatus having a function to carry out fax communications over a general public line and a LAN interface function that is adaptable to a computer network that enables the user to send and receive fax information by electronic mail. A functionality is provided in which a table to limit executable functions for each addressee and its own apparatus is provided (Abstract).

Kojima teaches that when a specified type of communication data is received by a specified interface, the communication data is processed into intermediate data based on a

sheet-saving print format (Abstract). Kojima teaches at col. 4, lines 4-5, that image forming device 1 receives facsimile data transmitted over a public telephone circuit, and email data from the POP server 53. Kojima does not receive facsimile communication via the internet because Kojima receives facsimile data over a public telephone circuit. Therefore, Kojima fails to teach a determining unit that determines whether the received documents received by the facsimile communication unit are those received by the facsimile communications via internet, because without receiving facsimile communications via internet, it cannot possibly teach a determining unit that determines whether the facsimile communication came from the internet. As such, Kojima cannot reasonably be relied upon in the manner which the Office Action suggests to teach the features recited in the pending claims.

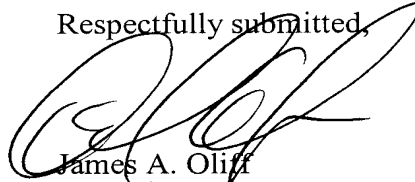
For at least the foregoing reason, any permissible combination of Wakasugi and Kojima would not have suggested combinations of all of the features recited in independent claims 30 and 31. Further, claims 32-39 also would not have been suggested by the various combinations of references for at least the respective dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 30-39 under 35 U.S.C. §103(a) as being unpatentable over the asserted combination of applied references are respectfully requested.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 30-39 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Daniel A. Tanner, III  
Registration No. 54,734

JAO:MJS/acd

Date: October 31, 2008

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;

Charge any fee due to our  
Deposit Account No. 15-0461